



राष्ट्रिय अन्तरलिङ्गी मागपत्र



National Intersex Demand Sheet

A seven bullet demand sheet regarding gender identity recognition for intersex individuals and laws/policies concerning it.

Intersex (Nepali: Antara-lingee) people have sex characteristics (genitila, reproductive organs, gonads and chromosomal patters) that do not fit into the typical norms of male and female bodies. The term '**intersex**' describes the physical diversities beyond the conventional ideas of male and female. Some **intersex** traits are visible at birth, some may be visible during adolescence while some chromosomal variations may never visibly manifest at all.

Being **intersex** is a variation/diversity of sex characteristics. Intersex people may have a gender identity that is **male**, **female**, **non-binary**, etc. or may have a sexual orientation that is **heterosexual**, **homosexual**, **bisexual**, **pansexual**, **asexual**, etc.

This definition is endorsed by the United Nations, has international prominence and is adopted / used by intersex organizations, networks, groups and people across the world and Nepal.

Demands:

1. **Intersex** infants should be able to have their birth certificate issued mentioning 'intersex' in the sex/gender designation. No **intersex** infant should be denied of their **right to have a birth certificate** and **right to have a name** just because of their **intersex** sex characteristics. **Intersex** individuals who have self-realized their gender identity – should be able to mark **Female**, **Male** or **Non-Binary** according to their self-feeling.

2. Some **intersex** individuals may have been marked as “others”, “ambiguous”, “intersex” or something else on their birth certificates while some **intersex** individuals may have been marked as “male” or “female” in accordance to their parents’ wish. And the person is given a name by their parent(s)/guardian(s). After an **intersex** individual has achieved self-awareness about their personal experience of gender if the gender assigned at birth does not matched their **self-realized gender** then one must be able to change their name and gender based on their **self-feeling**.
3. For someone to be able to achieve their **gender identity** in accordance to their **self-realization** – is a subject of **self-determination** and no other people, society, state and law should be able to determine it. There should be a simple process for someone to be able to change their name and gender marker based on **self-determination** and **self-identity**.
4. **Intersex** people should be addressed with the language and vocabulary in accordance to their **gender identity** and be included in respective spaces.
5. **Intersex** individuals’ **right to privacy** regarding their **sex characteristics** and personal details relating to it should be ensured while **data privacy** and documentations relating **personal gender history** should also be subjected to assurance of **privacy**.
6. No individual should be subjected to requirements that violate one’s self-esteem and dignity, one’s other human rights, one’s bodily integrity & autonomy, and/or oblige them to make irreversible changes to their body and/or infringe their self-determination as well as personal freedom for being able to acquire ID cards in accordance to their gender identity along their preferred name. This should not just be limited to legal provisions but also in behavior where implementers don’t ask unnecessary questions, harassing disrespectful questions, conduct verbal misbehavior and any intersex-phobic behavior. Government of Nepal should initiate educating every stakeholders and

employees at government institutions on intersex as well as broader issues of gender and sexual diversity.

7. We protest against the **oppressive provision** of **forced** and **involuntary** requirement for intersex people to list themselves as 'others gender'. No one should be denied of their right to **self-realized gender identity** and be subjected to **forced** and **involuntary** obligation to mark themselves as 'others gender' just because they're of **intersex** variation.

Intersex people experience discrimination, violence and stigma in education, health, employment and all sectors of life. These discrimination, stigma and violence are enabled when state enforce insensitive and exclusionary legislation. Among various issues intersex people are facing, this demand sheet raises the concern of "Legal recognition of gender identity". The demands presented in this demand sheet aligns to the global intersex movement.

Campaign For Change, Nepal's first and the only intersex led intersex rights organization has been discussing about this issue through various platforms and in various opportunities. From 14 Nov to 16 Nov 2019 (20760/07/28-30) – Third National Intersex Workshop was organized and the concept of this demand sheet was put forth consequently taking forth the work to be able to release this on 26 October 2020 (2077/07/10) on the occasion of Intersex Awareness Day.

(This is the translated version in English language of originally written in Nepali language, nuanced gaps may avail)
